

FIRST REGULAR SESSION

HOUSE BILL NO. 1256

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BURLISON.

1755L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 168.021, RSMo, and to enact in lieu thereof four new sections relating to elementary and secondary education.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 168.021, RSMo, is repealed and four new sections enacted in lieu thereof, to be known as sections 161.1025, 161.1030, 167.895, and 168.021, to read as follows:

161.1025. 1. The provisions of this section shall be known and may be cited as the "Local Economic and Academic Partnership Act".

2. There is hereby established a program within the department of elementary and secondary education to be known as the "Local Economic and Academic Partnership (LEAP) Program" to encourage public schools to enter into partnerships with local business entities in order to foster relationships that will benefit local community needs with respect to economic development and workforce training.

3. There shall be created within the department of elementary and secondary education a "Local Economic and Academic Partnership (LEAP) Council". The council shall have a membership of eleven persons, appointed by the joint committee on education. Six members shall be local business owners, or members of senior management, who are not affiliated with any educational entity or school board. Five members shall be representative of the education community and may include, but not be limited to, local school administrators, teachers, members of parent organizations, school board members, or persons affiliated with postsecondary education.

4. The commissioner of education or the commissioner's designee shall convene the first meeting of the LEAP council for the purpose of establishing the bylaws of the council

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 and electing officers to include a chairperson, vice chairperson, and secretary. The council
19 shall advise the commissioner of education and the department of education on issues
20 relating to the establishment of local economic and academic partnerships and make
21 recommendations for guidelines as to implementation of the LEAP program in local
22 communities. The council shall be responsible for review and approval or disapproval of
23 partnership applications submitted by public schools under subsection 6 of this section.

24 **5. Under the LEAP program, public schools are encouraged to partner with one**
25 **or more of the following entities:**

- 26 **(1) Other public schools serving grades K-12;**
- 27 **(2) Public and private institutions of higher education;**
- 28 **(3) Local trade unions; and**
- 29 **(4) Local businesses and local industries.**

30 **6. Prior to entering into a partnership, public schools may apply to the LEAP**
31 **council for approval and acceptance into the program. The public school's application**
32 **shall contain evidence demonstrating that the partnership would benefit local students and**
33 **meet local workforce needs in the local community.**

34 **The application shall outline a metric by which the partnership and student participation**
35 **will be evaluated and contain a plan for oversight to ensure students gain real world**
36 **experience and training. Additionally, the application shall demonstrate educational and**
37 **financial efficiencies in delivering services to the community through the program.**
38 **Applications for partnership approval shall contain a specific plan to:**

- 39 **(1) Provide challenging program options for students to gain real world experience**
40 **and training;**
- 41 **(2) Increase student engagement in the local business community and provide**
42 **challenging learning opportunities for local students; and**
- 43 **(3) Create professional development opportunities for educators through**
44 **internships, apprenticeships, or externships.**

45 **7. The LEAP council shall approve or reject partnership applications within thirty**
46 **days of a public school's application for approval.**

47 **8. As an incentive for participation in the LEAP program, public schools shall**
48 **receive:**

- 49 **(1) Full credit on attendance measurement criteria for the Missouri school**
50 **improvement program, regardless of a student's attendance, as long as the student is**
51 **meeting state performance measures;**

52 **(2) One hundred percent of the average daily attendance reimbursement and one**
53 **hundred percent attendance for purposes of the Missouri school improvement program for**
54 **online, hybrid, or proficiency-based courses capped at credit for one student annually;**

55 **(3) Replacement or additional credit for a school's college and career readiness**
56 **score on its annual performance report for students that can provide proof of mastery**
57 **through a locally developed assessment system that proves competency; and**

58 **(4) The authority to employ a visiting scholar as a classroom teacher under section**
59 **168.021.**

60 **9. There is hereby created in the state treasury the "Local Economic and Academic**
61 **Partnership Fund", which shall consist of moneys appropriated by the general assembly**
62 **to establish and support the program established in this section and any gifts, grants,**
63 **bequests, and devises. The state treasurer shall be custodian of the fund and shall, along**
64 **with the department of economic development, approve disbursements from the fund in**
65 **accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall**
66 **be used solely for the administration of this section. Notwithstanding the provisions of**
67 **section 33.080, to the contrary, any moneys remaining in the fund at the end of the**
68 **biennium shall not revert to the credit of the general revenue fund. The state treasurer**
69 **shall invest moneys in the fund in the same manner as other funds are invested. Any**
70 **interest and moneys earned on such investments shall be credited to the fund.**

71 **10. The department of elementary and secondary education shall develop a process**
72 **to approve applications for distribution of appropriated funds under this section. The**
73 **department may promulgate all necessary rules and regulations for the administration of**
74 **this section. Any rule or portion of a rule, as that term is defined in section 536.010, that**
75 **is created under the authority delegated in this section shall become effective only if it**
76 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
77 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**
78 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective**
79 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**
80 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2015,**
81 **shall be invalid and void.**

82 **11. Under section 23.253 of the Missouri sunset act:**

83 **(1) The provisions of the new program authorized under this section shall**
84 **automatically sunset six years after the effective date of this section unless reauthorized by**
85 **an act of the general assembly; and**

86 **(2) If such program is reauthorized, the program authorized under this section**
87 **shall automatically sunset twelve years after the effective date of the reauthorization of this**
88 **section; and**

89 **(3) This section shall terminate on September first of the calendar year immediately**
90 **following the calendar year in which the program authorized under this section is sunset.**

161.1030. Prior to the beginning of the 2016-17 school year, the department of
2 **elementary and secondary education shall be required to update all data systems and the**
3 **Missouri school improvement plan, including all scoring guides, to accommodate districts**
4 **that wish to implement a proficiency-based instruction and promotion system within their**
5 **schools.**

167.895. Notwithstanding any other rule or provision of law, the department of
2 **elementary and secondary education shall make the statewide assessment used to**
3 **determine proficiency in the third grade through the eighth grade available to school**
4 **districts at multiple times during the school year. The assessment shall be made available**
5 **to districts at least three times, including once in the fall, spring, and summer terms.**
6 **Districts may choose whether to assess students at any or all times the assessment is**
7 **offered. For the purpose of state accountability, the department of elementary and**
8 **secondary education and the state board of education shall evaluate proficiency scores for**
9 **a student based on the student's ability to demonstrate proficiency on a state assessment**
10 **at any point during the regular school year or during the summer term.**

168.021. 1. Certificates of license to teach in the public schools of the state shall be
2 **granted as follows:**

3 (1) By the state board, under rules and regulations prescribed by it:

4 (a) Upon the basis of college credit;

5 (b) Upon the basis of examination;

6 (2) By the state board, under rules and regulations prescribed by the state board with
7 advice from the advisory council established by section 168.015 to any individual who presents
8 to the state board a valid doctoral degree from an accredited institution of higher education
9 accredited by a regional accrediting association such as North Central Association. Such
10 certificate shall be limited to the major area of postgraduate study of the holder, shall be issued
11 only after successful completion of the examination required for graduation pursuant to rules
12 adopted by the state board of education, and shall be restricted to those certificates established
13 pursuant to subdivision (1) of subsection 3 of this section;

14 (3) By the state board, which shall issue the professional certificate classification in both
15 the general and specialized areas most closely aligned with the current areas of certification

16 approved by the state board, commensurate with the years of teaching experience of the
17 applicant, and based upon the following criteria:

18 (a) Recommendation of a state-approved baccalaureate-level teacher preparation
19 program;

20 (b) Successful attainment of the Missouri qualifying score on the exit assessment for
21 teachers or administrators designated by the state board of education. Applicants who have not
22 successfully achieved a qualifying score on the designated examinations will be issued a
23 two-year nonrenewable provisional certificate; and

24 (c) Upon completion of a background check as prescribed in section 168.133 and
25 possession of a valid teaching certificate in the state from which the applicant's teacher
26 preparation program was completed;

27 (4) By the state board, under rules prescribed by it, on the basis of a relevant bachelor's
28 degree, or higher degree, and a passing score for the designated exit examination, for individuals
29 whose academic degree and professional experience are suitable to provide a basis for instruction
30 solely in the subject matter of banking or financial responsibility, at the discretion of the state
31 board. Such certificate shall be limited to the major area of study of the holder and shall be
32 restricted to those certificates established under subdivision (1) of subsection 3 of this section.
33 Holders of certificates granted under this subdivision shall be exempt from the teacher tenure act
34 under sections 168.102 to 168.130 and each school district shall have the decision-making
35 authority on whether to hire the holders of such certificates; [or]

36 (5) By the state board, under rules and regulations prescribed by it, on the basis of
37 certification by the American Board for Certification of Teacher Excellence (ABCTE) and
38 verification of ability to work with children as demonstrated by sixty contact hours in any one
39 of the following areas as validated by the school principal: sixty contact hours in the classroom,
40 of which at least forty-five must be teaching; sixty contact hours as a substitute teacher, with at
41 least thirty consecutive hours in the same classroom; sixty contact hours of teaching in a private
42 school; or sixty contact hours of teaching as a paraprofessional, for an initial four-year ABCTE
43 certificate of license to teach, except that such certificate shall not be granted for the areas of
44 early childhood education, or special education. For certification in the area of elementary
45 education, ninety contact hours in the classroom shall be required, of which at least thirty shall
46 be in an elementary classroom. Upon the completion of the requirements listed in paragraphs
47 (a), (b), (c), and (d) of this subdivision, an applicant shall be eligible to apply for a career
48 continuous professional certificate under subdivision (2) of subsection 3 of this section:

49 (a) Completion of thirty contact hours of professional development within four years,
50 which may include hours spent in class in an appropriate college curriculum;

51 (b) Validated completion of two years of the mentoring program of the American Board
52 for Certification of Teacher Excellence or a district mentoring program approved by the state
53 board of education;

54 (c) Attainment of a successful performance-based teacher evaluation; and

55 (d) Participate in a beginning teacher assistance program; **or**

56 **(6) By the local economic and academic partnership council established in section**
57 **161.025, under rules and regulations prescribed by it, upon the basis of:**

58 **(a) An application for a one-year visiting scholar teaching license and the**
59 **appropriate fee;**

60 **(b) Written verification from an administrator of an accredited or approved local**
61 **education agency that the applicant will be employed if the license is issued; and**

62 **(c) Documentation of exceptional talent or outstanding distinction in one or more**
63 **subjects or fields.**

64 2. All valid teaching certificates issued pursuant to law or state board policies and
65 regulations prior to September 1, 1988, shall be exempt from the professional development
66 requirements of this section and shall continue in effect until they expire, are revoked or
67 suspended, as provided by law. When such certificates are required to be renewed, the state
68 board or its designee shall grant to each holder of such a certificate the certificate most nearly
69 equivalent to the one so held. Anyone who holds, as of August 28, 2003, a valid PC-I, PC-II,
70 or continuous professional certificate shall, upon expiration of his or her current certificate, be
71 issued the appropriate level of certificate based upon the classification system established
72 pursuant to subsection 3 of this section.

73 3. Certificates of license to teach in the public schools of the state shall be based upon
74 minimum requirements prescribed by the state board of education which shall include
75 completion of a background check as prescribed in section 168.133. The state board shall
76 provide for the following levels of professional certification: an initial professional certificate
77 and a career continuous professional certificate.

78 (1) The initial professional certificate shall be issued upon completion of requirements
79 established by the state board of education and shall be valid based upon verification of actual
80 teaching within a specified time period established by the state board of education. The state
81 board shall require holders of the four-year initial professional certificate to:

82 (a) Participate in a mentoring program approved and provided by the district for a
83 minimum of two years;

84 (b) Complete thirty contact hours of professional development, which may include hours
85 spent in class in an appropriate college curriculum, or for holders of a certificate under
86 subdivision (4) of subsection 1 of this section, an amount of professional development in

87 proportion to the certificate holder's hours in the classroom, if the certificate holder is employed
88 less than full time; and

89 (c) Participate in a beginning teacher assistance program.

90 (2) (a) The career continuous professional certificate shall be issued upon verification
91 of completion of four years of teaching under the initial professional certificate and upon
92 verification of the completion of the requirements articulated in paragraphs (a), (b), and (c) of
93 subdivision (1) of this subsection or paragraphs (a), (b), (c), and (d) of subdivision (5) of
94 subsection 1 of this section.

95 (b) The career continuous professional certificate shall be continuous based upon
96 verification of actual employment in an educational position as provided for in state board
97 guidelines and completion of fifteen contact hours of professional development per year which
98 may include hours spent in class in an appropriate college curriculum. Should the possessor of
99 a valid career continuous professional certificate fail, in any given year, to meet the fifteen-hour
100 professional development requirement, the possessor may, within two years, make up the
101 missing hours. In order to make up for missing hours, the possessor shall first complete the
102 fifteen-hour requirement for the current year and then may count hours in excess of the current
103 year requirement as make-up hours. Should the possessor fail to make up the missing hours
104 within two years, the certificate shall become inactive. In order to reactivate the certificate, the
105 possessor shall complete twenty-four contact hours of professional development which may
106 include hours spent in the classroom in an appropriate college curriculum within the six months
107 prior to or after reactivating his or her certificate. The requirements of this paragraph shall be
108 monitored and verified by the local school district which employs the holder of the career
109 continuous professional certificate.

110 (c) A holder of a career continuous professional certificate shall be exempt from the
111 professional development contact hour requirements of paragraph (b) of this subdivision if such
112 teacher has a local professional development plan in place within such teacher's school district
113 and meets two of the three following criteria:

114 a. Has ten years of teaching experience as defined by the state board of education;

115 b. Possesses a master's degree; or

116 c. Obtains a rigorous national certification as approved by the state board of education.

117 4. Policies and procedures shall be established by which a teacher who was not retained
118 due to a reduction in force may retain the current level of certification. There shall also be
119 established policies and procedures allowing a teacher who has not been employed in an
120 educational position for three years or more to reactivate his or her last level of certification by
121 completing twenty-four contact hours of professional development which may include hours

122 spent in the classroom in an appropriate college curriculum within the six months prior to or after
123 reactivating his or her certificate.

124 5. The state board shall, upon completion of a background check as prescribed in section
125 168.133, issue a professional certificate classification in the areas most closely aligned with an
126 applicant's current areas of certification, commensurate with the years of teaching experience of
127 the applicant, to any person who is hired to teach in a public school in this state and who
128 possesses a valid teaching certificate from another state or certification under subdivision (4) of
129 subsection 1 of this section, provided that the certificate holder shall annually complete the state
130 board's requirements for such level of certification, and shall establish policies by which
131 residents of states other than the state of Missouri may be assessed a fee for a certificate license
132 to teach in the public schools of Missouri. Such fee shall be in an amount sufficient to recover
133 any or all costs associated with the issuing of a certificate of license to teach. The board shall
134 promulgate rules to authorize the issuance of a provisional certificate of license, which shall
135 allow the holder to assume classroom duties pending the completion of a criminal background
136 check under section 168.133, for any applicant who:

- 137 (1) Is the spouse of a member of the Armed Forces stationed in Missouri;
138 (2) Relocated from another state within one year of the date of application;
139 (3) Underwent a criminal background check in order to be issued a teaching certificate
140 of license from another state; and
141 (4) Otherwise qualifies under this section.

142 6. The state board may assess to holders of an initial professional certificate a fee, to be
143 deposited into the excellence in education revolving fund established pursuant to section
144 160.268, for the issuance of the career continuous professional certificate. However, such fee
145 shall not exceed the combined costs of issuance and any criminal background check required as
146 a condition of issuance. Applicants for the initial ABCTE certificate shall be responsible for any
147 fees associated with the program leading to the issuance of the certificate, but nothing in this
148 section shall prohibit a district from developing a policy that permits fee reimbursement.

149 7. Any member of the public school retirement system of Missouri who entered covered
150 employment with ten or more years of educational experience in another state or states and held
151 a certificate issued by another state and subsequently worked in a school district covered by the
152 public school retirement system of Missouri for ten or more years who later became certificated
153 in Missouri shall have that certificate dated back to his or her original date of employment in a
154 Missouri public school.

155 **8. Any rule or portion of a rule, as that term is defined in section 536.010, that is**
156 **created under the authority delegated in this section shall become effective only if it**
157 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**

158 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**
159 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective**
160 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**
161 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2015,**
162 **shall be invalid and void.**

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